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September 11, 1978

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OLC #78-2570/13

OGC

David J. Anderson, Esquire
Chief, General Litigation Section
Civil Division
Department of Justice
Washington, D. C. 20530

Re: Nunez v. City of Fairfax, Virginia

Dear Mr. Anderson:

Thank you for taking the time to meet with Mr. Buonassissi and myself on September 7, 1978. In accordance with our conversation at that time, it is my understanding that the Department of Justice intends to reexamine its decision with respect to the City's request for compensation for attorney's fees and other costs expended in the above-referenced matter. As we discussed, I believe that the City's basis for this request is fully set out in my letter to Congressman Fisher of April 24, 1978. However, I will be glad to answer any questions and to provide such additional information as you may require in conducting your review.

In the event that the Department of Justice would decline to compensate the City in this matter, it is the desire of the City to pursue such alternative remedies as may be available to it at the earliest possible date. Thus, it would be appreciated if you could advise me of the disposition of this matter as soon as possible.

Thank you for your cooperation and assistance in this regard.

Very truly yours,

John H. Rust, Jr.

JHRJr/lk

xc: Mr. George E. Hubler, Jr.
Jonathan B. Smith, Esquire
✓ Anthony A. Lapham, Esquire
The Honorable Joseph L. Fisher

MORI/CDF